

PUBLIC SAFETY & PUBLIC INFORMATION COMMITTEE
Of the
Suffolk County Legislature
Minutes

A regular meeting of the Public Safety & Public Information Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, New York, on September 12, 2006.

Members Present:

Legislator Jack Eddington • Chairman
Legislator Kate Browning • Vice•Chair
Legislator Wayne Horsley
Legislator Vivian Vilorio•Fisher
Legislator Joseph Caracappa
Legislator Daniel Losquadro
Legislator Jay Schneiderman

Also In Attendance:

Presiding Officer William Lindsay • District #8
George Nolan • Counsel to the Legislature
Ian Barry • Assistant Counsel to the Legislature
Renee Ortiz • Chief Deputy Clerk/Suffolk County Legislature
Robert Calarco • Aide to Legislator Eddington
Bobby Knight • Aide to Presiding Officer Lindsay
Linda Burkhardt • Aide to Presiding Officer Lindsay
Linda Bay • Aide to Minority Caucus
Paul Perillie • Aide to Majority Caucus
Lance Reinheimer • Assistant Director/Budget Review Office
Sean Clancy • Budget Review Office
Ben Zwirn • Assistant County Executive
Brian Beedenbender • County Executive Assistant

Dennis Brown • Bureau Chief•Municipal Law Div./County Attorney's Office
Robert Kearon • Division Bureau Chief/District Attorney's Office
Robert Moore • Chief of Department/Suffolk County Police Department
Aristedes Mojica • Inspector/Chief of Dept's Office/SCPD
Kenneth Rau • Chief of Detectives/Suffolk County Police Department
Dennis Caine • Deputy Chief of Detectives/Suffolk County Police Dept
Robert Ponzo • Asst. Chief of Patrol/Suffolk County Police Department
Robert Haack • Detective Sergeant/Property Recovery/SCPD
Brad Lanser • Detective/Crime Section • 5th Precinct/SCPD
Donna Engel • Deputy Chief of Patrol/Suffolk County Police Dept
Robert Scharf • Lieutenant/Commissioner's Office/SCPD
Joe Williams • Commissioner/Fire, Rescue & Emergency Services
Hope Collazo • Director/Community Service Program•American Red Cross
Debbie Eppel • Public Information Office
Laura Ahearn • Executive Director/Parents for Megan's Law
Catherine Hoake • Suffolk County League of Women Voters
Mary McLaughlin • Suffolk County League of Women Voters
Sandy Sullivan • Legislative Liaison/AME
Mike Sharkey • President/Deputy Sheriff Police Benevolent Association
Matt Mullins • 1st Vice•President/Deputy Sheriff Police Benevolent Assc
All Other Interested Parties

Minutes Taken By:

Alison Mahoney • Court Stenographer

(*The meeting was called to order at 11:41 AM*)

CHAIRMAN EDDINGTON:

Okay, if everybody would rise for the Pledge of Allegiance and Legislator Browning will lead us.

Salutation

And if we could remain standing for a moment of silence for all those that dedicate their lives to public safety in Suffolk County.

Moment of Silence Observed

Thank you. Okay, I have a couple of cards for public portion. If we could have Philip Fava come up.

MR. FAVA:

Good afternoon. Yes, my name is Philip Fava, I represent PK Metals, also the President of the New York Chapter of ISRI, ISRI stands for the Institute of Scrap Recycling Industries out of Washington D.C..

I would just like to say a few words on •• there's an amended or a proposed bill as to a tag and hold for scrap metals that we receive in our yards. And we did have the pleasure and the opportunity to meet with Terry Pearsall and also Detective Haack for a walk•thru to explain and so they could see how our industry works and how parts of this bill would make it very, very difficult for us to comply with. And also, especially when it comes to tag and hold, for example, material comes in in truck loads, so if you see a 40 yard truck drop some material on our property and they would like us to hold on to that for five days. The problem is I may get 60 or 70 trucks like that a day in my facility, and also the other members of our organization, so it would be very, very difficult to physically do that. That's the first item.

The second item would be the issue of taking information from each customer that walks in the door. I'm sure you have a copy of the new proposed legislation here. We spoke to many customers already and no one really has a problem of giving us information. When someone does come to us we do keep records, we have to keep records for the IRS, so all this information is available at this time now. And any time any law

enforcement did enter our facility, we did offer this information; you know, our books are open for something like this.

And I realize the problem that the Police Department is faced with, it is a real issue today. Of course, with the price of metals being so high, that people are •• you know, there is an element that we have to deal with, the people are taking materials that don't belong to them, it could be off of job sites, construction sites. There's been articles in the paper that they'll go in and even steal it out of, you know, a working facility.

Our organization is aware of this out of Washington and they have this crime alert, and we did send out a sample to Mr. Pearsall and

Mr. Haack showing what happens when something is stolen in an area. The way it works is the local Police Department would contact ISRE, give them all the particulars and then they would take this and broadcast it out to the area members and also the surrounding •• for example, if it happened over here, it would go in the tri•State area, and this alert would come out and every member does get this. So we are working with, you know, the organization and the Police Departments to stop this because, believe me, no one in our organization wants to buy material that is stolen, it doesn't benefit us at all. It's not where •• you know, I know it gets deemed as it could be a money issue where they say they could capitalize on something like that ••

CHAIRMAN EDDINGTON:

I'm going to have to ask you to wrap up, if you don't mind.

MR. FAVA:

Excuse me?

CHAIRMAN EDDINGTON:

I'm going to ask you to wrap up, you're past your time.

LEG. LOSQUADRO:

Mr. Chairman?

MR. FAVA:

Okay.

CHAIRMAN EDDINGTON:
Yes?

LEG. LOSQUADRO:
I just have some questions.

CHAIRMAN EDDINGTON:
Okay.

LEG. LOSQUADRO:
Well, let him finish his statement first. Are you done, Mr. Fava?

(* Legislator Caracappa entered the meeting at 11:45 AM*)

MR. FAVA:
Well, yes. I just want to say, we do realize this issue and we do have •• again, we're trying to work •• we did meet, we just felt that before something like this came back out that we'd have another session to sit down with the people involved to try to make it where we can compromise on something. We are looking to work with you, we're not looking to ignore this. We realize your issue and we're here to work with you.

CHAIRMAN EDDINGTON:
Well, I just want to add that because the legislation has been revised a number of times, it's going to have to be tabled today and go for another public hearing, so it's not going to be decided on today. But we will also be hearing from •• Detective Rau will be talking to us about where it stands right now. Okay, Legislator Losquadro.

LEG. LOSQUADRO:
Thank you. I've been involved in this process as well, as well as the Presiding Officer's Office, trying to work together with all parties to come to a consensus of what would be workable legislation. Mr. Fava, I think you are sort of being modest in

saying that it would be difficult for you to logistically deal with a tag and hold situation. Based on my analysis of how this industry does business, there's a simple matter of supply of space that you have, even the largest facilities that operate on the Island; I know your facility is one of the larger facilities, certainly not the largest. But given that requirement of the current legislation, could you physically hold that material for five days and still be able to take new materials in from those who wanted to drop supplies off?

MR. FAVA:

No, it would be too difficult. You know, we look at this as •• we also see the pawn broker law where someone comes in with, you know, a ring, they could put a ring in an envelope, it can go in a drawer and you could have, you know, a cabinet, you could have a 500 square foot office to hold a lot of rings. The way we operate, it would be very, very difficult, it would be almost impossible to handle this material. Plus it would hurt the economic environment because now you're asking me to hold something that I have to prepare and get out the door to fulfill a contract and I have market conditions, we sell into a market where prices could change and it could impact on the cash flow and pricing in a large way.

LEG. LOSQUADRO:

Absolutely. And that is one of the functions of any Legislative body of government is to decide policy, and part of at that policy has to be creating an environment in which commerce can take place, but at the same time recognizing a problem. I have to say that I, too, was very surprised to see this amended copy come forward without any further discussion with myself or other members of this Legislative body who were taking part in these discussions.

And I would like to take this opportunity to make this overture to the Executive Branch to say I would very much like to work with the Executive and with my colleagues from the Presiding Officer's Office and my other colleagues and with members of the industry to come to a consensus of a bill that is workable and will address the concerns of the Police Department. So

thank you, Mr. Fava.

MR. FAVA:
Thank you.

CHAIRMAN EDDINGTON:

Okay, thank you. Kevin Gershowitz, please. Good morning.

MR. GERSHOWITZ:

Good morning. My name is Kevin Gershowitz, I represent Gershow Recycling Corp and I'm also here to comment on 1648, the resolution referencing scrap metal dealers and processors.

I, too, am disappointed in the process that has occurred. We did meet with the Detectives and the other representatives of the County Legislature at which time we ended our tours and meetings of the industry in that we would be getting together to come to a reasonable solution of what would work for industry and what would work for law enforcement at the same time. The fact that the bill was redrafted without really much significant changes in it in terms of problems that we have, I'm disappointed in terms of the lack of cooperation.

There's specifically many things in this requirement that physically just cannot be complied with; in effect, if passed, the industry would be out of compliance. Passing something or putting something in to effect that forces a business out of compliance that can't even possibly comply with is not responsible government.

The fact that we're being compared to that of pawn shops or pawn brokers or second hand dealers shows the lack of knowledge of the authors of our industry. We are part of the manufacturing process, we are part of the global recycling process. Manufacturing begins and ends with the scrap processor. A manufacturer buys a piece of steel to make something such as this microphone and what's left is sold for scrap to the scrap processor who processes it and sells it to a steel mill and remelts it who sends it back to the same manufacturer to make the same microphone or car.

Eighty percent of all metals in the United States, of our inventory in the United States comes from scrap processing. Suffolk County is proposing legislation that will limit the economic environment of that in Suffolk County. We compete on a global basis with dealers in Nassau, in the Bronx, in the tri•state area, this bill will limit our ability to compete.

Requiring the tag and hold just does not work; my colleague spoke about that briefly. The bill also requires us to use the County's computer system. We are not opposed to cooperating with the County, we are not opposed to providing the County Police with any information whatsoever; we already do that to an extreme extent, well beyond cooperation. However, requiring us to basically dismantle our in•house computer systems for accounts payable and accounts receivable and inventory and use the County's computer system for purchases puts us literally out of business. We are not mom and pop shops, we are not pawn shops. A pawn shop can open up in any retail center on Long Island with a little 20 X 20 store and minimal investment, a filing cabinet and a cash register. The smallest scrap processor on Long Island has millions of dollars invested just to open.

I respectfully request that this committee request that the Police Department and others involved allow us the opportunity to help draft something that works. Once again, we want to cooperate with you to solve your issues and dilemmas, but you're going to require something of our industry that just cannot be done.

CHAIRMAN EDDINGTON:

Thank you very much. Could you just stay for a question?
Legislator Viloria•Fisher.

LEG. VILORIA•FISHER:

Good morning, Mr. Gershowitz.

MR. GERSHOWITZ:

Good morning.

LEG. VILORIA • FISHER:

Is my mike working? Is it picking up my voice?

MS. MAHONEY:

Yes.

LEG. VILORIA • FISHER:

They've been acting very strange today, the mikes.

Okay. Mr. Gershowitz, if you could just bear with me and go through Section 3, the Crime Prevention Requirements?

Because you've said that some of these requirements would drive you out of business, and if you could just indicate for me which of the subsections of Section 3 would be the most onerous to you and would present the greatest difficulty? Because I understand that •• I heard both you and Mr. Fava refer to Subsection D which is the tag •• what's the second part of that?

LEG. LOSQUADRO:

Tag and hold.

MR. GERSHOWITZ:

Tag and hold.

LEG. VILORIA • FISHER:

Thank you. The tag and hold, that would be a problem because you would have to hold the material for five days, right?

MR. GERSHOWITZ:

Tag and hold is a problem that physically cannot be done. The largest of scrap processors, which is my company, physically cannot tag and hold our purchases for five days.

LEG. VILORIA • FISHER:

Because it's too much material?

MR. GERSHOWITZ:

It's a requirement of space. We are not ••

LEG. VILORIA•FISHER:

It's space.

MR. GERSHOWITZ:

The comparison of a pawn shop, a busy pawn shop could handle 50 rings a day, that's a little tiny piece, or watches or a piece of jewelry. Our industry handles literally millions of pounds a day and in all forms, from something as small as this pencil to large truck loads.

LEG. VILORIA•FISHER:

Okay, so ••

MR. GERSHOWITZ:

To segregate each load and keep it for five days is a physical impossibility.

LEG. VILORIA•FISHER:

Okay, I get it.

MR. GERSHOWITZ:

In addition to the financial requirements of the money we're outlaying to buy our raw material.

LEG. VILORIA•FISHER:

Okay. What about A; is that what you were just referring to, the tracking system where you would have to enter everything into the Police computer?

MR. GERSHOWITZ:

Yes, the tracking system.

LEG. VILORIA•FISHER:

And what about B?

MR. GERSHOWITZ:

In terms of A which references the Article Tracking System ••

LEG. VILORIA•FISHER:

Right.

MR. GERSHOWITZ:

•• we have issues with that because we operate businesses that do high volume. We maintain numerous detailed records that we voluntarily are open to law enforcement. For us to ••

LEG. VILORIA•FISHER:

So then part B wouldn't be a problem for you? Because part B is asking that you voluntarily give that information to law enforcement.

MR. GERSHOWITZ:

We already voluntarily give that information now on a regular ••

LEG. VILORIA•FISHER:

So then B is not a problem.

MR. GERSHOWITZ:

On a regular basis, my office personally is contacted on a regular basis requesting information and we voluntarily give it. I doubt that you would find anybody in law enforcement that would say that we have not been more than cooperative.

LEG. VILORIA•FISHER:

But is that consistent •• please bear with me, Mr. Chair, I don't understand this field very well and so that's why I'm asking ••

LEG. BROWNING:

Neither do I.

LEG. VILORIA•FISHER:

•• Mr. Gershowitz to go through this with me, because I really don't know anything about this field. And so I'm trying to get a ••

LEG. LOSQUADRO:

Legislator Viloría•Fisher?

LEG. VILORIA•FISHER:

Yes.

LEG. LOSQUADRO:

If you would suffer an interruption, I actually have a question which I think might clear some of that up for you.

LEG. VILORIA•FISHER:

Okay, let me just finish going through A, B, C and D, see which one is problematic and then I'd be happy to yield.

LEG. LOSQUADRO:

Well, it relates to the computer system, so.

LEG. VILORIA•FISHER:

Oh, okay. Go ahead.

LEG. LOSQUADRO:

It might help clear that up.

CHAIRMAN EDDINGTON:

Who would like to speak, I'd like to know.

LEG. VILORIA•FISHER:

I'll yield to Legislator Losquadro.

CHAIRMAN EDDINGTON:

Okay, Legislator Losquadro.

MR. GERSHOWITZ:

Who do I yield to?

LEG. VILORIA•FISHER:

You have to stay there.

MR. GERSHOWITZ:

Okay.

LEG. LOSQUADRO:

What I was going to inquire, Mr. Gershowitz, was you

referenced your computer system and the volume of material that you get in. A computer system such as yours obviously is not an off-the-shelf software purchase; did you hire an outside consultant to build you a customized solution for your corporation?

MR. GERSHOWITZ:

Yes, our •• the computer system that Gershow Recycling uses is a proprietary system that was custom made. There are companies throughout the nation that specialize in scrap processing, but again, they are unique for each corporation. We are a manufacturer, essentially, we buy raw material, the scrapper buys raw material for our manufacturing process, just like the sweater maker buys wool from the sheep producer. We buy these materials, we have to keep track of inventory, we have to keep track of cost accounting, we have to keep track of accounts payable of who we owe money to when we buy it, and our computer system is integrated with our receivables, with our inventories, with our payables. To ask us to now use a County-based website which, based on my studies, is hardly •• is not too operational, and the resolution accounts for that by saying when it's not operational to do a manual receipt, but to require us to do that is essentially saying throw away your systems.

LEG. LOSQUADRO:

You actually got ahead of me to my next question which was ••

MR. GERSHOWITZ:

Sorry.

LEG. LOSQUADRO:

•• could •• well, from a security standpoint, obviously, the County won't allow their system to be integrated into another, their system must remain separate and distinct for a security standpoint. But your system could not be modified in any way to migrate that information over to a County system; they're separate and distinct systems, correct?

MR. GERSHOWITZ:

They're separate and distinct systems. If I had to manually reenter every transaction because I am forced to use the County website, I would need a staff of eight to ten data•entry people on a daily basis to do this. And it would still have errors because we buy on the live, we buy on the spot, it would be like you go into the supermarket and you do it manually and then someone physically enters the information so the supermarket knows how many tomatoes they sold. We physically can't do it.

But in addition, this committee is going to hurt manufacturing on Long Island, and not the manufacturing of the scrap processor but the manufacturing of our aerospace industry. Manufacturers create scrap and their sales of scrap need to be private because it's confidential and competitive business information. If I have to report to this committee that a certain manufacturer sold us a certain quantity of aluminum that's used to make military grade specs for an aircraft and that becomes public information, the manufacturer's competitors in other parts of the country will have that and use that to compete against them.

LEG. VILORIA•FISHER:

Mr. Gershowitz, can I just interrupt a minute?

MR. GERSHOWITZ:

And those manufacturers •• let me just finish.

LEG. LOSQUADRO:

We're just going off topic for a second.

CHAIRMAN EDDINGTON:

If we could go through the Chair, I'd appreciate it.

LEG. LOSQUADRO:

I apologize, Mr. Chairman. Really I was trying to address point B and that was that you're obviously not adverse to giving this information to the Police Department or making it available to them. My point was your point of contention was with the Article Tracking System itself, that your system was not compatible with that in any way.

MR. GERSHOWITZ:

Our system is not compatible with that in any way. We have no issue with working with law enforcement to give them any information we need, they need, we already do that now.

LEG. LOSQUADRO:

Thank you.

LEG. VILORIA • FISHER:

Okay, I'm going to reclaim my time.

MR. GERSHOWITZ:

And without •• if I may just make one comment.

LEG. LOSQUADRO:

Well, I'm just going to have to go back to Legislator Vilorina •Fisher.

MR. GERSHOWITZ:

Okay.

LEG. VILORIA • FISHER:

Yes. Yeah, I'm just going to reclaim my time because I did want to go •• but thank you for helping to clarify that, Legislator Losquadro.

And I think in a less technical way you had already said that A was more problematic because of integration of different systems and that you have a very unique type computerization of your inventory that's folded into all of your other transactions. But B, you said that your company willingly provides information to the Police, to enforcement.

MR. GERSHOWITZ:

We currently provide information to Police enforcement when they request it.

LEG. VILORIA • FISHER:

Now, do you know if other companies have that available to do

that, to provide the information, or because you have such a large business that you're able to have that information on hand?

MR. GERSHOWITZ:

While every company is unique in its software and accounting, every company that I know of in our industry in Suffolk County keeps fairly detailed records and cooperates with law enforcement. I have not heard of a company in Suffolk County where they have turned law enforcement away. The problem is is that requiring the scrap processor to notify law enforcement of every purchase on the live becomes, in effect, making a scrap processor an adjunct to law enforcement. And we're not ••

LEG. VILORIA•FISHER:

Is that bringing you to Part C which is that requirement of a receipt of transactions?

MR. GERSHOWITZ:

Say that again, please?

LEG. VILORIA•FISHER:

Part C, the next part of the bill which is •• which requires that you have an Article Transaction Receipt?

MR. GERSHOWITZ:

We currently have receipts now. When you come to any dealer in Suffolk County, and I'll specifically reference Gershow because I'm most familiar, but when you come to any dealer in Suffolk County to sell scrap, you the individual or the corporation leave with a receipt and that receipt shows what was purchased. Receipts currently are made and kept and we're required to keep those under ••

LEG. VILORIA•FISHER:

But this is talking about a police tracking system.

MR. GERSHOWITZ:

Well, the police tracking system, the receipt is associated with

A, C and A are related in terms of that the tracking system will make a receipt and the receipt is something that we're supposed to keep on hand.

LEG. VILORIA • FISHER:

Thank you, Mr. Gershowitz. You've made it more confusing, but it's okay.

MR. GERSHOWITZ:

I made it more confusing? I would like to have the opportunity to make it less confusing.

CHAIRMAN EDDINGTON:

Presiding Officer Lindsay.

LEG. VILORIA • FISHER:

No, I'm just teasing. You actually did clarify some of your concerns for me. Thank you. Thank you, Mr. Chair.

P.O. LINDSAY:

Hello, Mr. Gershowitz. It's nice to see you again. I think that we hear you in terms of keeping the material that you're buying. And my Chief of Staff, I believe, went on a tour with some people from your industry to see the difficulties of what you're talking about.

However, I mean, going through this, there isn't anything in this bill that you could live with; that's more or less what you're telling us. And the way things are right now isn't working. I mean, our Police are asking for more tools to cut down on the tremendous amount of thievery that we're experiencing in our County of scrap metal. And somewhere along the line the industry and the Police and this Legislature have to get together, because when the Police ask us for more tools we look at it very seriously in fighting crime.

MR. GERSHOWITZ:

I agree that fighting crime is important and that the tools need to be there. And the intent of the tours and the meeting were to show the Police our industry. The Police had acknowledged

that while they want to regulate us, they had never toured us, never visited us. Even the Police that claim that they investigate these steps, I have never seen them before in any of my scrap yards that we own and operate, but I have seen other police departments.

When we know that something has been stolen and notified by Police, we will gladly cooperate, but some of the bills are not working. The tag and hold is something that, no, if passed tomorrow the industry will be out of compliance. The computer systems is a problem. We are not opposed to a bill that requires cooperation, even though it already exists. We are not opposed to a bill that requires information to be passed along, because that already happens, but we don't want to have a law passed that puts us in non-compliance.

P.O. LINDSAY:

Well, see, some of the things that I have trouble with is when you start talking about the necessity of, you know, holding confidential the sale of material, you know, we're not asking that it be shared with the public, but it certainly should be shared with the police. The identity of the people selling you the material I think is really important which goes to the heart of the reporting form that the Leg •• that the Police are requesting.

MR. GERSHOWITZ:

We don't have an issue with the identity of the people that we do business with.

P.O. LINDSAY:

But I think if you look at that form in the front of the new bill, that basically is what it goes to is descriptions and confirming the identity of the people that are attempting to sell material to you.

MR. GERSHOWITZ:

Yes, and if this was passed into law and we had to maintain the sex, race, height, weight, hair and eye color of someone, then we would have to do that. But I also have to tell you, sir, we

have to look at the overall benefit. And if someone out there of the element who thieves and steals something knows that in Suffolk County their sex, race, height and weight are going to have to be maintained •• requested of, then they'll just go to Nassau or the five boroughs and the theft of recovered •• the recovery of items that were stolen or the recovery of those that stole the items will not happen.

Behavior modification is a factor that can and will occur. If someone steals something •• you know, this law has legs that you are trying to pass and we want to cooperate with it, but some of the things will produce no net effect because of behavior modification, because the thief will just go somewhere else. Thievery will still occur. You know, there are no gates on the Nassau/Suffolk border.

P.O. LINDSAY:

That argument's been used over and over here on numerous types of legislation that we've approached in the past; you can't do that here because they'll go somewhere else.

MR. GERSHOWITZ:

Well, so we compete in a global marketplace, we're just not unique to Suffolk County. The scrap •• we buy scrap out of the tri•State area every single day.

P.O. LINDSAY:

The point that I'm making is somewhere along the line there's going to have to be some modifications by your industry, because what we have now is not working.

MR. GERSHOWITZ:

We are glad to participate in that modification and to support this committee on it, to come here and stand and instead of saying what doesn't work to say, "Yes, we agree, this is a good tool and our industry can cooperate with it," that's why we're here. I am only pointing out certain things that won't work, I'm not going into any details of what we're opposed to that would work. We have no problem in working with law enforcement, but certain things that just physically cannot be done would be

bad for everybody involved.

CHAIRMAN EDDINGTON:

Thank you. Legislator Schneiderman has a question.

LEG. SCHNEIDERMAN:

Thank you, Mr. Chair. Mr. Gershowitz, I also took your invitation to see the plant so I would get a better idea of how your industry operates so I could review the bill in that light. And while I was there, we got into a conversation about new materials coming in. Because I could see that there were some new construction materials that were coming in and you explained to me that there were steps that you took internally when you saw, let's say, copper pipe coming in that was •• that looked like it might be new, in terms of collecting more information, that you were already doing that so that information would be available for the Police or whoever.

So if you could comment a little bit on what internal mechanisms you have in place when new material, valuable material comes in. And also, if this bill is not working for you, what other things could you do within your industry that would make it easier for the law enforcement industry for them to do their job?

MR. GERSHOWITZ:

Well, the first thing that we would need is we would need law enforcement to inform us of when something has been stolen. You know, because we're not previously notified about the theft, we obviously can't help in any way whatsoever; so that would be the first step, to notify our industry. And that could be taken place by participating in our national program where you notify our national association of a theft and an e •mail is sent out to every member association in the geographic area, or it could happen locally whereby we would handle it, that could even be part of a resolution. But the first part of recovery is to notify the industry that something has been stolen. Requiring us or asking us to take a look at something to determine if it might be stolen makes us an adjunct of law enforcement which we're not trained to do.

However, in answer to your question that you asked, when we do see something that we may suspect as being a problem, we do take extra precautionary methods. We collect more information, we make sure the person knows that we're collecting this information, and if there's a problem we don't purchase the material.

LEG. SCHNEIDERMAN:

It was clear when I was at your site that you guys move very quickly, there's no question about it, it's a very busy operation. And I got the sense that things didn't really stay there even a day, that things were coming in and being processed that same day. Let's say material were stolen from a construction site, it might be a couple of days before they even realize it was stolen when they start counting the I-beams or whatever it might be. And I'm wondering •• and I realize most of the stuff I saw, you know, 90 plus or almost a hundred percent was clearly old scrap metal, but there was a couple of things that, you know, looked like it might have been new. Maybe there's something you can do with new materials, is what I'm thinking, where you could either notify or •• and I don't know what kind of volume, it seems like a pretty small volume, maybe new materials could be held for a day or two as a way to resolve some of those conflicts. But it seems silly to hold all of that the old junk for five days, you would need five times your lot area to do that.

MR. GERSHOWITZ:

Junk's a four letter word in our industry, we call it scrap materials.

LEG. SCHNEIDERMAN:

Scrap, thank you. Could you comment on that? Is it possible to do something with the obviously new material?

MR. GERSHOWITZ:

I believe that if •• I believe that if we have the opportunity to sit down with law enforcement and representatives of the committee, that we can come up to an understanding of what some of the issues are. We haven't really been notified by law

enforcement of the 90 supposed thefts that have occurred this year, what those steps were. I would like to have that information so that we can take a look in terms of what were the thefts and how would they have been sold as scrap.

You have to keep in mind that one of the major problems here is that most of what we're talking about is unidentifiable; a rose is a rose is a rose, no matter what florist you go to it all looks the same. And while yes, you could have copper pipe that clearly looks new, most of it does not. But we clearly would be cooperative in working with things that might look new and how we can deal with that with the Police Department. But again, we need to be brought in to the fold, not kept out of the fold.

LEG. SCHNEIDERMAN:

Would you have the room? I mean, I don't know how much new looking material comes in, you know, coils and wires and things like that; do you have ••

MR. GERSHOWITZ:

Well, you know, that occurs on a regular basis. You know, an electrician might be wiring your home and he bought a hundred foot spool and he has 30 feet left and it looks brand new and there's only 30 foot left and he finished wiring the home and he sells it for scrap. So the answer is the volume is great, and we buy scrap from a variety of sources.

LEG. SCHNEIDERMAN:

Right. What we end up might •• what we might end up encouraging happening is somebody who is bringing in new materials to kind of go out and make them look old before they bring them in.

MR. GERSHOWITZ:

Well, sir, most of your element that might steal something •• remember, they're stealing something from a construction site which, you know, maybe security is needed at the site like you have security or an alarm system at your home or any jewelry store. But most of the things that are stolen, the thief will transpose it so it's not recognizable, will take a saw or something and cut it up into small pieces, and one of the

reasons for that is because scrap has more value and it is cut up smaller. So they do that for the purpose of transportation, they do that for the purpose of value and they do that for the purpose of disguising the material that might have been stolen. But I would be very •• I would ask this committee to ask the Police Department if they could forward to us the information on the 90 thefts as of August of this year because I would like to be able to participate with them in taking a look at what was stolen and what the description of those products were.

LEG. SCHNEIDERMAN:

You know, I'm wondering, and clearly a meeting has to happen between your industry and law enforcement and some Legislators to try to figure out what mechanisms, if any, could go into place that would help them do their job, but just one thought. On some of those new materials or maybe new materials, there's questionable materials, even if you couldn't store them, it seems like you could take a digital picture of them and store that digital picture somewhere, you know, maybe with the license plate of the person who brought it in or the address, name and address of the person who brought it in, that might be one approach to handling it.

MR. GERSHOWITZ:

I think that we could sit down with law enforcement and have that conversation and try to figure out things. But you still have to keep in mind that a spool of wire that's 80% gone looks like any other spool of wire. Some of these items don't have any tag identification items on them whereby you could say, "This is a serial number and this was mine." Certain things do and they can be recovered, but gladly, we want to work and sit down with law enforcement. That's why we were a little bit disappointed in the process, we thought that after the tour of the industry on the Island we thought that law enforcement wanted to work with us.

CHAIRMAN EDDINGTON:

Thank you. I just would like to add, because there's a couple of more Legislators who had asked for questions, but speaking of

communication and disappointment, I, too, am a little disappointed, as Chair of Public Safety, that you did reach out to other Legislators and since I happen to be your Legislator in that area, that you didn't reach out to me.

MR. GERSHOWITZ:

I'm sorry, sir, but I called your office twice and left messages in reference to attempting to meet with you and I got no phone call back and I didn't pursue it any further after that.

CHAIRMAN EDDINGTON:

We have no record of that because I just asked my aide, they said we have no record of any calls, so. Well, I would say don't give up on me.

MR. GERSHOWITZ:

Well, would you like to come for a tour, sir?

CHAIRMAN EDDINGTON:

I definitely would. I've been there a couple of times, as you know, when the fires were there, but I'd love to see it in the day time.

MR. GERSHOWITZ:

I'd love to be given the opportunity to educate you on our business and I look forward to you calling me for an appointment at your convenience.

CHAIRMAN EDDINGTON:

That would be great. And now Legislator Browning.

LEG. BROWNING:

Yeah, I'm just curious. Someone brings a car in, okay; do you record the VIN numbers on all the cars that come in?

MR. GERSHOWITZ:

Yes.

LEG. BROWNING:

You do? Okay and •• well, my curiosity is because if I steal a

car, bring that car to your facility, you've recorded the VIN number so now you have the information on the persons or person that brought that car to you?

MR. GERSHOWITZ:

Yes, we do.

LEG. BROWNING:

Okay. And do you contact the Police or is there any kind of communication between you and the Police Department to make sure it's not a stolen vehicle before you crush it?

MR. GERSHOWITZ,

My •• we have a direct communication with the Auto Squad Division of the Suffolk County Police Department. I am 100% positive that if you were to call their lead investigators they would tell you that Gershow's cooperation with them of the records that we keep, and even that of our industry, that the industry keeps in terms of the recovery of theft is essential to their work and that the industry gladly cooperates with them.

The questions that you asked of what records we keep, we do keep. And even this morning we received a phone call from law enforcement looking for a specific vehicle and we were going to do the search through our database, which we use as an integrated part of our entire computerized system. So the theft of the items, yes, happens and yes they are recovered, but we already are working with law enforcement. I do not believe that law enforcement and Auto Squad would say that they need anything more than what they have because they already have the cooperation of industry.

LEG. BROWNING:

So what you're saying is you don't submit to them the list of VIN numbers when you receive them.

MR. GERSHOWITZ:

No, upon •• when law enforcement is notified of a theft, they immediately contact the industry, very, very quickly, but that's Auto Squad law enforcement. They immediately contact the industry and upon that they receive information back very

quickly, we respond to them within a half hour, not because they're law enforcement but because it's the right thing to do to cooperate.

LEG. BROWNING:

I'm just concerned that maybe at some point, you know, you receive a stolen vehicle and it's crushed before you get notification. So, you know, I think maybe it might be a good idea that at some point the Police would be notified with all those VIN numbers so they can check the VIN numbers before the cars are crushed; that's just my concern.

MR. GERSHOWITZ:

Okay.

CHAIRMAN EDDINGTON:

Legislator Caracappa.

LEG. CARACAPPA:

I was just going to make a point, Mr. Chairman, on what Legislator Schneiderman was saying as it relates to thefts and what's brought in by way of new material. Many thefts occur, and Mr. Gershowitz alluded to it and responded to it, many thefts occur on construction sites, so it's not always new material that's coming in that has been stolen, the many dumpsters full of copper pipe which we know has gone up dramatically over the last year and a half and other scrap metals.

So it's •• my question to you, it's never a new material that's always stolen, scrap that's coming in to you, it could be old, it could be new, you never know, right?

MR. GERSHOWITZ:

That's correct. Whether it's new or old, it still has the same value because we're looking at it as a commodity and what it can be •• cost to remelt it and come back into the manufacturing sector. So new or old really makes no difference to us. And yes, you know, an old piece of copper tubing or wire or steel I•beam will get stolen just as quickly as something new; as a matter of fact, maybe even more quickly.

LEG. CARACAPPA:

That was just the point I wanted to make.

CHAIRMAN EDDINGTON:

Okay, we're going around for a second time. Legislator Losquadro.

LEG. LOSQUADRO:

Thank you. I just had •• sorry. Thank you. I just had two points which I will be bringing up when the Police Department discusses this, but I just wanted to bring them up because they relate to a couple of the points that have been raised.

Number one, new material. My wife happened to have worked in the aerospace defense industry before she became a teacher and the by products of their manufacturing of products were a large amount of pieces of sheet metal which appeared brand new because they had just been processed to make these power modules or whatever they happened to be making that day. The excess material would then be put in to containers and when they got up enough it would be shipped off to recycling facilities such as Mr. Gershowitz and Mr. Fava's or someone else's and be sold for scrap. That material all would appear brand new because it had never been used for any other purpose, it was raw material. So I think these are just points that need to be addressed as we work together to address these concerns.

The other thing I wanted to ask Mr. Gershowitz, since I have him here, and I happen to have an extensive background in the automotive industry. I know you don't operate as a salvage yard, obviously, that's not your function, but you obviously know people in that industry. What would be the average value of a car for scrap, just •• for it's raw weight in material.

MR. GERSHOWITZ:

A car for scrap today •• remember, we are in the commodities business and we purchase everything as a commodity ••

LEG. LOSQUADRO:

Right, of course.

MR. GERSHOWITZ:

•• by the pound or ton. So a car for scrap today has a value of about six cents per pound, so for example a 2,000 pound car would have a value of \$120. A car for parts which is not the business that I'm in has a much greater value.

LEG. LOSQUADRO:

Well, you're getting ahead of me for a moment. I was just going to bring up, you know, for about ten years I worked for State Farm Insurance and I did investigations and I worked arson and theft and actually went out to the Westhampton Impound Yard on many occasions to do cause and origins on arson claims. And if there's one thing that I saw during my ten years working the boroughs of New York City and working out here in Suffolk County is that the •• in the Legislative intent portion of this bill where it says that the value of scrap metal has contributed to the theft of motor vehicles to be sold for scrap doesn't make much sense to me when a stolen door off a car or a stolen tailgate off a mini•van could sell for five to \$800, where the value of the entire vehicle for scrap is maybe only a hundred or \$200.

I just wanted to bring that point up and it's something that I will be addressing with the Police Department. But you got ahead of me a little bit, but you do concur and I just wanted to get your input on what that value was, that the vehicle is much more valuable in its constituent components than it is in the aggregate for scrap.

MR. GERSHOWITZ:

Yes, and a new vehicle that may be stolen is not sold as scrap.

LEG. LOSQUADRO:

I understand that. Okay, thank you.

CHAIRMAN EDDINGTON:

Okay, thank you very much. I would invite you to stay because

in about 20 minutes Detective Rau will be making a presentation, so I'd ask you both to stay if you can.

MR. GERSHOWITZ:

And I thank you for the time and I look forward to seeing you.

CHAIRMAN EDDINGTON:

You got it.

Okay, at this time we have a planned presentation and I would ask George Welker and Jim Morrow from CWA to come up.

MR. WELKER:

Chairman Eddington, Members of the Committee, I thank ••

CHAIRMAN EDDINGTON:

Have a seat, George.

MR. WELKER:

Oh, okay. Chairman Eddington, Members of the Committee, I thank you for an opportunity to address you today. My name is George Welker, President of Communications Workers of America, Local 1108. We represent the telephone workers in Suffolk County, all the telephone workers other than the commercial reps. To my left here is more Jim Morrow, he's a business agent on the Executive Board of the Local 1108.

We put together, or Jimmy put together this presentation of a situation that we have been trying to address for the past four years of LIPA or their contractors replacing Verizon's poles because either Verizon doesn't have the time to pull out their own poles or they just neglect, like you saw up on the screen there for a while. And lately, in the past two years or so, in Suffolk County they have now what they call a Fios Project or {fiber to the prem}, you might have read something about it in the paper, and it seems like all their resources are dedicated to that. And we feel •• when I say we, the union, our workers, are linemen such as Jimmy •• that this is a form of contracting with LIPA replacing our poles.

And as time goes on, it's becoming a safety issue. Aesthetically it looks terrible, in some of the towns as you ride around, probably if you think about it. You've all seen what we refer to as double woods where a pole has been hit or damaged, LIPA will go out again or their contractor and cut the top of the pole off, move their electric over to the new pole and Verizon's pole will stay there for months after month after month after month and not get removed. And when we brought this to the company again, we've been working on it four years, we've got no movement on it, at least in our eyes no movement on it. The company claims they're doing more, I would like to see that spelled out in some kind of paperwork.

We put together a little presentation, I'll just show you a sampling of what's going on throughout Suffolk County. This one here is in Central Islip, and you can see the base of the pole is rotted; the only thing holding that pole up is the telephone cable that hasn't been moved to the new pole. This one is in Babylon Village. You've got two broken poles, this we refer to as a triple wood; you had one double wood, you had the double wood there, it got damaged again, you've got two broken poles that should be removed, and that's on John Street which is a fairly busy street in the Town of Babylon.

The next slide is the bottom of that situation on John Street. This one is in Bay Shore on Brook Street, you can see it just dangling there; again, the only thing holding it up is the cable, a telephone cable that hasn't been moved. That would probably take about two hours for our linemen to correct that situation, besides, this one I think is one of the more dangerous ones. And these pictures have been taken about the past two months when we were putting this together, so it's not something that's from two years or it's stale. Besides the safety factor, I mean, that looks terrible when you drive down the street.

This is in Deer Park on Conklin Street. Again, the new pole was put in, they left the rocks in the sand and stuff there and the pole leaning again, that's our responsibility or Verizon's responsibility to pull that pole out and make the street normal.

This is on Caleb's Path in Brentwood. This was a complaint to the Town of Islip, this picture was taken in April, one of the customers complained about the pole being broken and just laying there.

This is in Riverhead. It's being held up by rope, okay, the bottom of the pole is rotted, they put a new pole in, LIPA put a new pole in and it's being held up by rope. Again, this is on West Main Street in Riverhead; similar situation, the old pole, the top has been cut off and LILCO has moved their stuff or LIPA has moved their stuff and we're still sitting there.

This one is in East Quogue, as we go further east. It's leaning in to the roadway and you can see from the picture that it's unsightly and it's probably dangerous. This is in Westhampton, the only thing holding that pole up, once again, is the telephone cable, it's got to be transferred over to the new pole. Quogue, more of the same, it's leaning towards traffic.

This is in •• the next one is Clay Pitts Road in Greenlawn, Town of Huntington. And this one really jumps off the page because as I mentioned before, their dedicating their resources to the Fios project, okay. They ran •• when I say they, our linemen • • you know, Verizon scheduled the work to be done, our linemen ran a new cable, the fiber cable down the street and on that work order was not to replace that pole. So that pole, we put new cable up, lashed it to the existing cable that was on the pole that's got to be moved and that pole was not removed.

Again, this one in Northport, the old pole has got to be removed. Huntington, it's leaning on to the cable, you know, supporting the heavy cable. Wolf Hill Road in Huntington, once again, the cables need to be transferred. Pulaski Road, busy road again, again the cable is waiting to be transferred.

And this is just a sampling, you know, and granted, we probably picked out some of the more ugly ones. And just one thing I'd like to add, there's a pole agreement between the

lighting company, which right now is LIPA, at that time it was New York Tele, it's changed four times since, now Verizon. On a parity issue, 46% of the poles are supposed to be Verizon's responsibility, 54 being LIPA's, and you try to maintain that balance. If we replace one of their poles, which doesn't happen very often anymore, or they replace one of ours, we take ownership of another pole.

And one part of that agreement that we were looking at, Jimmy pointed it out to me, they notify •• if LIPA has a pole that cannot handle a new transformer or new power lines, that pole has to be replaced. And if it's one of our poles •• again, our pole, Verizon's pole •• they notify them in five days and within 15 days they're supposed to replace that pole; if they don't, LIPA can't wait anymore so they wind up pulling out the pole. And again, you have the old pole stay in there, they'll cut it off, move their stuff, put the new transformers on and leave the unsightly poles sitting there and creating a safety issue again.

Again, I thank you for the time for addressing •• to address your committee. If there's any questions I'll try to answer them, or Jimmy, Jimmy is my subject matter expert, but anything you got we'll try to answer it.

CHAIRMAN EDDINGTON:

Well, why don't you just hang out for a minute because I did ask.

Ms. Tracey Edwards, Vice•President of the Regional Operations for Verizon to come. So would you come up, Ms. Edwards, because I want •• she did tell me that she was addressing some of these issues, so I wanted her to talk to us.

MS. EDWARDS:

Thank you very much, Mr. Chair. And thank you very much to the Legislature for having me respond. Can you hear me now? Okay.

CHAIRMAN EDDINGTON:

That's a commercial, right, you just did?

MS. EDWARDS:

Yes.

CHAIRMAN EDDINGTON:

Okay, I just wanted to make sure.

MS. EDWARDS:

Legislator Lindsay, I also am in receipt of your letter, sir, so I'll be glad to address that. My name is Tracey Edwards and I am the Vice•President of Island Metro and I am responsible for not only Suffolk County and Nassau County, Bronx and Queens, and I was appointed to that position July of 2006.

I am aware of this issue, it is not a very good issue to come before you today but I will say to you that we do have a plan. The numbers that you have in front of you of 5,000, it is considerably less than that. Since 2004 we have removed a considerable amount of double woods or triple woods, as George did mention. In 2004 we did remove 689 of those, in 2005, 1,544, and so far within the last eight months of this year we've removed 1,180, so we are on track to remove 1,800 this year. We still believe that we have 2,600 less •• left to go.

There also are some that we may not know about because I'm sure, as you understand the way this process is, if someone does hit a pole, then the first people that they do call, rightfully so, would be LIPA because of the dangerous position. So I will say to you that we can improve our communication between LIPA and us and also with my partner George with Local CWA.

I also recognize that it hasn't been good to sit for the last hour to see a piece of paper to say, "Verizon's neglect" and those pieces of paper. I am taking that very personally. I will commit to you that any of the areas that are identified on those poles, any of the areas that you know about in your area that have not been removed in a timely matter, I will also work with George to ensure that in addition to what is planned to go forth between the rest of this year and in 2007, we will absolutely remove those poles as well.

I think that this is more of a communication issue as well. I think that we can coordinate a lot better, because as Mr. Walker did mention, we are accelerating our plan for files which is a very good thing for our customers and also our workers and all of you for competition. I do think that we can coordinate efforts a little bit better so that as we are on those same streets building out then we can remove the poles at the same time.

So I will present to you a quarterly report, a monthly report, however you would like to do that, and I'll also •• you can call me personally to identify any unsightly conditions and, of course, the public safety once, things that are identified as a hazardous condition, we will do that in the forefront.

CHAIRMAN EDDINGTON:

Thank you. I'm going to be reaching out to the LIPA Chairman to communicate with you so that you can facilitate that transfer a little bit more effectively, so. But I do have Legislator Schneiderman who would like to ask you a question.

MS. EDWARDS:

Sure, sir.

LEG. SCHNEIDERMAN:

My first question is how do I contact you; what's the contact information?

MS. EDWARDS:

My telephone number is 516•832•8880, that is my office in Garden City. My cell number is 516•318•4572.

LEG. SCHNEIDERMAN:

Okay. And give me your name again?

MS. EDWARDS:

Tracey Edwards.

LEG. SCHNEIDERMAN:

Tracey Edwards. I'm going to compile a list for you in my

district of all the double woods, because there are numerous out on the east end of Long Island. Do I report them by street or pole number or what would be ••

MS. EDWARDS:

If you have both, that will be fine, but even street we'll send someone out. And I will partner with Mr. Walker and make sure that that information is there. What I say to you, sir, is I do want to try to prioritize between public safety and hazardous and aesthetic.

LEG. SCHNEIDERMAN:

And I guess I'll get your address, maybe it's on the card; is it on the card? Do we have a card?

CHAIRMAN EDDINGTON:

Yeah.

MS. EDWARDS:

It is, you have it.

LEG. SCHNEIDERMAN:

Okay. Now, is it always Verizon or is it sometimes Cablevision?

MS. EDWARDS:

Well, it's always Verizon, but Cablevision also has their wire on the pole. So their pole will be •• LIPA will be on there, Verizon will be on and the wire will be Cablevision. So LIPA is usually the first point, sir, so if someone is knocked, they then move, LIPA will move their electric to the new pole and then both Verizon and Cablevision have to transfer their wire from the old to the new.

LEG. SCHNEIDERMAN:

Does that typically happen at the same time, Verizon and Cable move together?

MS. EDWARDS:

It does not happen at the same time.

LEG. SCHNEIDERMAN:

So some of these double woods potentially could just be Cablevision that are up there?

MS. EDWARDS:

It could, it could be, but I wouldn't be able to give you the numbers of how many that would just be ours. I think that we're the last point of contact, I think. Do you know?

MR. WELKER:

Can I just •• on that, I don't think you'll find a pole where Cablevision has not moved or we're moved and Cablevision is not moved; we're the last ones. Cablevision doesn't own any poles, they just rent space from LIPA or from Verizon, they don't have any of their own poles. So the responsibility, once •
• most of the time probably LIPA will move their stuff for them if they don't get out there, they don't move our stuff. So the last one on the pole, I would say 99.9 times, I don't know of any occasion, Jimmy could probably help me out on that, where Cablevision is left on the pole and we've moved, because once we remove our stuff we take the pole out.

MS. EDWARDS:

I think that's correct, sir.

CHAIRMAN EDDINGTON:

Okay. Legislator Lindsay.

P.O. LINDSAY:

Hi, Ms. Edwards. Thank you for coming today and clarifying this issue.

MS. EDWARDS:

Sure.

P.O. LINDSAY:

Do you have a certain amount of line people devoted to this on a daily basis?

MS. EDWARDS:

Yes. We don't have it necessarily devoted just to that, sir. We have •• we have increased our linemen from 2004, not specifically for this particular issue; we went from 59 linemen in 2004 to 218 linemen today. That has mostly been because of the Fios Project. So I think that that's going to help us accelerate it because then as they are building out, we can use those same linemen to remove the poles.

P.O. LINDSAY:

But like today, how many linemen would be devoted to replacing poles that have been hit?

MS. EDWARDS:

Devoted to it? We're going •• it depends, it varies per day, sir, because we're taking 150 down per month. So there could be some days that there's no one dedicated to it, there could be some days where we have different crews dedicated to it.

P.O. LINDSAY:

What do you think the average time that a double wood is done •• until you get out to replace it.

MS. EDWARDS:

Probably about half a day per pole, a couple of hours.

P.O. LINDSAY:

No, no, no; no, you misunderstood me. We saw numerous pictures and we, I think •• I know I have many, many situations in my area. How •• what's the normal timeframe before one of those situations are addressed, 30 days, 60 days?

MS. EDWARDS:

I think it varies.

P.O. LINDSAY:

It varies.

MS. EDWARDS:

But I'll be able to •• if you want specifics, I'll certainly be glad to take the 1,180 that we have removed in 2006 and I'll let you know and see how long that they've been there.

P.O. LINDSAY:

Because, you know, I know right around the corner from me there's a pole there, a double pole that's over a year, over a year and it's leaning and it's dangerous and it's right by a major intersection.

MS. EDWARDS:

And I'm sure we do have those conditions out there, sir. So I think it varies, I think that there's some that are timely and there's some that there's not.

P.O. LINDSAY:

Let me just change the subject matter for a minute. I think that both LIPA, I don't know about •• somebody pays taxes on each pole, right; are you familiar with that?

MS. EDWARDS:

No, I'm not.

P.O. LINDSAY:

There is a tax paid on each one of those poles.

MS. EDWARDS:

Okay.

P.O. LINDSAY:

My question is if there's two poles where there should be one or if there's three poles where there should be one, are you paying triple or double taxes on that?

MS. EDWARDS:

I don't know.

P.O. LINDSAY:

I think that's something interesting to look into.

MS. EDWARDS:
Okay.

CHAIRMAN EDDINGTON:
That might be a motivation to get those poles down.

MS. EDWARDS:
Well, I want to be motivated by doing the right thing and by the public safety concern.

CHAIRMAN EDDINGTON:
Good. Is there anybody else? No. Thank you very much.

MS. EDWARDS:
You're certainly welcome. Thank you very much.

MR. WELKER:
Thank you for your time.

MS. EDWARDS:
Please take that Verizon Neglect page down.

CHAIRMAN EDDINGTON:
Yes, and we hope not to see it again.

Okay, I'm going to start with Tabled Resolutions.

Tabled Resolutions

1253•06 • Establishing a task force to study feasibility of eliminating illegal drag racing by establishing a legal drag strip in Suffolk County (Cooper). Motion to table by Legislator Browning ••

LEG. HORSLEY:
Second.

CHAIRMAN EDDINGTON:

•• and a second by Legislator Horsley. All those in favor? Opposed? Abstentions? Okay, so moved. **Tabled (VOTE: 7•0•0•0).**

IR 1257•06 • Creating the Suffolk County Identity Theft Task Force (Romaine).

LEG. BROWNING:

Is there anybody here on this?

CHAIRMAN EDDINGTON:

No, I think we had a presentation last time. Motion to table?

LEG. VILORIA•FISHER:

Motion to table.

CHAIRMAN EDDINGTON:

Motion to table by Legislator Viloría•Fisher. I'll second that. All those in favor? Opposed? Abstentions? **Tabled (VOTE: 7•0•0•0).**

IR 1296•06 • A Local Law establishing responsible standards and controls for alarm systems that require Police Department response (Cooper). This has to be tabled for a public hearing because it was recessed, so I'll make a motion to table.

LEG. LOSQUADRO:

Second.

CHAIRMAN EDDINGTON:

Second by Legislator Losquadro. All in favor? Opposed? Abstentions? **Tabled (VOTE: 7•0•0•0).**

IR 1648•06 • A Local Law establishing crime prevention requirements for scrap metal dealers (County Executive). I'm going to ask at this time Chief of Detectives, Chief Rau to please come forward.

CHIEF RAU:

Good afternoon.

CHAIRMAN EDDINGTON:

Thank you.

CHIEF RAU:

Well, I would like to start by, Mr. Gershowitz is here, I'm probably going to ask him to help me during my presentation because he's offered to cooperate with law enforcement.

CHAIRMAN EDDINGTON:

By all means.

CHIEF RAU:

Bobby, could you bring that item in for me, please? What we're looking at here is there's a grave difference or a dramatic difference between what has been presented and what is actually occurring, and we'll make a presentation to that effect. Brad, if you could go up and start on that right now, just don't kick it on until I speak with it.

Legislator Losquadro spoke specifically about the values of vehicles and you're right, they're worth more as parts, but there are a large number of vehicles that are being stolen and sold for scrap. Actually, within the last ••

CHAIRMAN EDDINGTON:

Excuse me. If you gentlemen wanted to sit up here, you're more than welcome so you can see. All right, go ahead. I'm sorry.

LEG. VILORIA • FISHER:

Or we could turn the screen a little bit.

CHAIRMAN EDDINGTON:

We could do that.

CHIEF RAU:

Within the last month, from 8/1 through the beginning of September, we had 22 vehicles that were stolen in Suffolk

County and scrapped at scrap yards within Suffolk County. One, Legislator Browning, was stolen in your district, it was scrapped on 7/27, the report to us came in on 7/28. So what happens is, in actuality, if the vehicles are scrapped rather rapidly, a lot of times people aren't even aware some of these vehicles are stolen. Unfortunately you have a commuter coming home, he might be driving an '87 Chevy or something, you know, a commuting type car, it stopped on the side of the road for one mechanical reason or another. He makes his way home, he's worked a long shift in the city, he goes to sleep, he doesn't get back there the next day or whatever, he comes back two days later, the car is gone; nine times out of ten what we find out then is that it is scrapped.

One of the other areas, again, that I would love to address is I believe Mr. Gershowitz talked about conditioning responses or responsible behavior as a result of conditioning. And I have to say, a lot of the industry response to us has been as a result of this conditioning behavior; in other words, we have been actively involved in law enforcement activities with various scrap metal and we put scrap metal dealers in Suffolk County. The investigation was commenced in 2004 where we've had approximately a thousand vehicles that were identified as stolen and scrapped; a lot of those vehicles went through various processing facilities. And as I'm sure Mr. Gershowitz can corroborate, we have seized numerous computers from scrap metal dealers, so we're aware of the contents, we're aware of the record keeping, there are no particular problems with that.

I have an item coming in right now I'm going to ask the scrap metal dealers to help me identify and tell me whether or not it may be or may not be suspicious. And I don't know where my guy •• oh, here he comes. Bring it up to the front, please, Tom. Mr. Gershowitz, can you tell me what this type of an item is? And would your company purchase this type of an item and would it be one of the things you would consider suspicious if somebody came in to sell it?

MR. GERSHOWITZ:

Exactly like that, a four foot section?

CHIEF RAU:

Yes, sir.

MR. GERSHOWITZ:

Four foot sections like that are sold by electrical contractors on a regular basis.

CHIEF RAU:

That's not a specific type of cable, sir?

MR. GERSHOWITZ:

To be honest with you, I don't even know what that is. It looks like copper cable to me. I have purchased stuff like that from different electrical contractors that are ••

CHAIRMAN EDDINGTON:

You know what? I'm going to have to ask •• could I ask you to come up to the microphone because we have to have this recorded.

P.O. LINDSAY:

Turn that, let me see that.

CHIEF RAU:

Just don't injure yourself because I'm not doing an injured employee report.

P.O. LINDSAY:

It's high voltage cable, right?

UNKNOWN SPEAKER:

Underground, water.

CHIEF RAU:

It's for a specific purpose, from what we're told, for water cable. It's only used by a utility company, it's not readily available on the commercial market; would that be correct, Mr. Gershowitz?

MR. GERSHOWITZ:

I would not be able to tell you, confirm for you if that's readily available on any kind of market whatsoever in terms of electrical contractors.

CHIEF RAU:

Okay.

MR. FAVA:

I could comment.

CHIEF RAU:

Go ahead, sir.

MR. FAVA:

That is •• you know, I have •• Kevin and I are in different kind of businesses, he's more heavy on the ferris side, I do a lot of non•ferris. That came from probably a utility, I have contracts with utilities and I do buy that from the utilities.

CHIEF RAU:

Okay.

MR. FAVA:

If someone walked in to my yard with that, if an individual walked in to my yard with that, I would ask a lot of questions, I probably would not buy that just because I don't think it would be, you know, kosher to buy something like that.

CHIEF RAU:

So in other words, it would be suspicious ••

MR. FAVA:

Yes.

CHIEF RAU:

•• if somebody showed up at your yard with that.

MR. FAVA:

Yes.

CHIEF RAU:

Brad, could you key the first video, please? I've cut these down to about a minute and a half, I have the full-length videos. But what you'll see here, in essence, is what goes on when we visited certain scrap metal dealers in Suffolk County.

(* Video Presentation of Gershow Recycling, Medford, New York *)

Mr. Gershowitz, I'm sure you are familiar with this facility.

If I can basically articulate what occurred. We sent an undercover officer in to Gershow's Recycling with this piece, or actually five pieces of cable. He was never asked for identification, the receipt he was given was given to him when it was weighed, he turned that receipt in, was paid in cash and walked out of there in ten minutes with the money in hand. So what we're looking at is suspicious sales was not reported, will not buy was not in effect, a receipt was not given and there was no identification taken when we went to sell this.

Not just to hit one facility, we went to a second facility. Could you role that, please, Brad?

(* Video Presentation of Arrow Scrap Corporation, Wheatley Heights *)

CHIEF RAU:

Basically what we saw consistently is that an undercover officer in these particular locations went in, was able to •• without producing identification, without producing an explanation •• sell this and receive cash remuneration right up front. I'm just trying to get a couple of figures right now. At the Arrow Scrap Corporation we sold five pieces for three hundred and six •• excuse me, three pieces for \$306 cash; at the Gershow Recycling facility we sold five pieces and received \$168 in cash.

MR. GERSHOWITZ:

Can I see that receipt?

CHIEF RAU:

We'll show it, you know, at a later time if you need it.

MR. GERSHOWITZ:

I just wanted to take the receipt number, if you don't mind.

CHIEF RAU:

I listened to the presentation by the scrap metal dealers and believe me, we are concerned and we do not want to be unfriendly to business. But the problem we're dealing with here is that copper is worth over \$3 a pound approaching record heights, aluminum is worth a substantial amount of money, scrap vehicles are worth a substantial amount of money.

When you deal with a scrapped vehicle •• and as you said, they're not new vehicles that come in to your yard and they may not be very important to a lot of people because they're being paid 120 to \$200 or something like that, you said, based on six cents a pound, but that vehicle may be very important to some person who is using it for transportation and can't replace it. And by us going out and locking up I believe 140 or whatever people, 115 people for selling stolen cars to scrap yards, that's really not helping the victims. I mean, we're giving you a phone call and saying, "Yeah, we sold your car," but they're out that vehicle sometimes. It's not only vehicles, it's scrap. When people leave their homes, we have people coming in now stealing the copper out of the houses. You can get six to \$900 for the amount of copper that's in a house right now.

We're not trying to hurt business; if anything, we want to be cooperative with business. The bottom line is we need this. When I was listening to the presentations I heard words like almost impossible, very difficult; we have to find a workable solution. With the vehicles, not holding vehicles, by the time Mr. Gershowitz or any scrap yard and we become in contact or by the time it's reported, that that vehicle is crushed and in a thousand pieces. The same thing with certain scrap metals and

things like that that we would be able to •• I know a lot of the stuff is not identifiable, but again, there are things that are identifiable.

We had thefts of aluminum bleachers, for sake of argument, from a school yard that I'm sure were chopped up and things like that. Again, if they're not held right away, you know, or held for a reasonable amount of time, a lot of times if it's stolen over a weekend by somebody •• you know, by the time somebody in the school sees it, gets it to us, whatever the case may be, we send a Detective down and then if we put it out on a national network, it's not going to work. We have to work closely.

I've heard the comparisons repeatedly to pawn brokers and everybody is taking rings off and saying it's a lot smaller storage; yes, it is. But they had the same concerns when we went into this about confidentiality of business records and we maintain that confidentiality of business records; I don't believe that to be a problem. I realize the imposition of storage on these large concerns is a problem. But again, we would have to look at it, is that a cost of doing business and would it put them out of business? I honestly don't know, but I don't believe that to be the case and I don't think they legitimately are going to pack up and leave the County if this happens.

Suffolk County has always been a leader and has always had the courage to take the lead, and that's what we have to do on something like this. If we're worried about what other jurisdictions, that people are going to other jurisdictions and sell the stuff there, then those other jurisdictions should be doing what we're doing and taking the lead. I mean, if you're not the lead dog in the pack, the view is always the same and we shouldn't be doing that.

I'm hopeful that we are going to take this legislation •• and I have a lot more, you know, that we can give as a presentation, I didn't know this was going to be this audience, I thought that, you know, we were at a different point in time with the legislation. But I'll gladly answer any questions anybody may have.

CHAIRMAN EDDINGTON:

Legislator Losquadro.

LEG. LOSQUADRO:

Because of my background in the insurance field, I just wonder if •• when having the discussions about stolen vehicles, we're taking into •• and I apologize if some people don't follow me •• into the situation of owner•drops where the vehicle would not be reported stolen until such time as it was disposed of as we see a lot of in the case with leased vehicles.

CHIEF RAU:

With leased vehicles, yes.

LEG. LOSQUADRO:

This is an instance where vehicles, if you go over the mileage on your lease, owner•drops or owner give•ups are where individuals will willingly dispose of the vehicle or give it to an individual of ill repute to take care of that for them. And until such time as the vehicle is disposed of, they're not going to bother reporting it stolen because they don't want that tag out there on the street with the possibility a police officer might see it. So that's •• these are all things that, again, we need to discuss and we need to work towards a solution.

CHIEF RAU:

I'd be more than happy to discuss.

LEG. LOSQUADRO:

The other thing, this is just in the interest of fairness because I've heard it brought up so many times, at least half a dozen, the example of the aluminum bleachers; does anyone have any indication that these bleachers that were stolen were scrapped?

CHIEF RAU:

It's very difficult to say if they were scrapped because we never found them; if we were able to find them ••

LEG. LOSQUADRO:

I mean, they could be at another •• at some private, you know, like a football team, some enterprising individuals might have stolen it and put it at their own field. I mean, I think in the interest of fairness, we keep using this because it sort of tugs at the heart strings because, you know, it's bleachers and it's kids sports.

CHIEF RAU:

Well, I love to tug ••

LEG. LOSQUADRO:

We have no indication whether or not these things were scrapped or somebody else's butt is sitting on them at another sports field; is that correct?

CHIEF RAU:

At this particular juncture, we do not know that they have been scrapped. But again, as Mr. Gershowitz reported, a lot of times these materials are altered.

LEG. LOSQUADRO:

Oh, of course.

CHIEF RAU:

Somebody could cut them up into a million little pieces and if it's not reported, and that's just something •• if we had, for sake of argument, a report that 200 pounds of aluminum was taken and we knew that the bleachers weighed approximately 200 pounds and there was a hold on that, I'm glad you brought this up, we could proceed to that location and look at that and probably I think reconstruct if it were a bleacher at one time.

Again, answering your question on drops, because you asked two questions without stopping, we have a unit that looks at the leased vehicle turn•ins and everything else. The problem with that is I don't think that a lot of them are winding up scrapped. For the most part they wind up stolen, reported stolen and either burned, vandalized or whatever. But we do have a unit right now, every vehicle that's a leased vehicle that is due to be turned in that, you know, magically is reported

stolen or missing, we do look at that and we're working with the District Attorney on taking that, you know, into consideration, we do look at each and every one of those steps.

LEG. LOSQUADRO:

Very good. Thank you.

CHAIRMAN EDDINGTON:

Legislator Lindsay.

P.O. LINDSAY:

Maybe you could clarify something for me, Detective Rau. When the first bill came forward from the Police Department, we met with the industry and your Sergeant was in that meeting and we heard a litany of complaints about the difficulty with complying with the bill, and now the second bill is here. The biggest difference I see between the first one and the second one, in the first one you were asking or the department was asking that the scrap metal dealers be licensed, the second one doesn't have that requirement and that's one of the few things they didn't object to.

CHIEF RAU:

Well, I can answer the question. What happens is upon review it was determined that the licensing requirement may supercede State law and we modified it so it would not be in conflict with the State law, and that's why we did away with the licensing requirement. Our objective right now is to make sure that these items are held, that we will have the ability to inspect them, and that's what we're looking to do. The law, the substance of the law is the same, I'm sure the objections are still the same, but that was the only amendment as far as the licensing and that was after consultation with the County Attorney.

P.O. LINDSAY:

And I am just one Legislator here but, you know, when you guys say that you need another tool in fighting crime, we always listen to that.

CHIEF RAU:

Without a doubt.

P.O. LINDSAY:

But we also hear the industry and I would hope that we can sit down again and see if we can come up with some common ground.

CHIEF RAU:

I would be more than happy to sit down with the industry and attempt to find common ground. Again, what we're looking to do here, and I think it's probably a mutual goal and I •• you know, I can address certainly the other operations that we did and I know that there are people out there that actively are attempting to intercede and prevent, you know, people trafficking and stolen merchandise. There are people in the industry that are a hundred percent helpful and, you know, this is not a shot at the industry, this is a shot at the people that are stealing it and using this industry as an outlet, very similar, and this is the similarity between that and pawn dealers.

And again, if I can address the computer reporting requirements, it is very simple. We're not saying that their inventory has to be maintained on the department, Police Department computers, you know, software, we're just saying that they have to report it. This is the same objections that we had, and this is just a computer problem with the pawn brokers. There are currently 50 scrap metals dealers in Suffolk County, we have how many, Bobby, pawn brokers?

CHIEF MOORE:

Two hundred and fifty.

CHIEF RAU:

We currently have 250 people on•line, a lot of them very active and we have not had major problems. The backup paper work is just anticipatory in case, as in everything, a computer system goes down or the internet goes down or we have a major storm, that's all that is.

I don't think to date we've really had to have that many of

those completed by hand.

P.O. LINDSAY:

I'm done.

CHAIRMAN EDDINGTON:

Okay, thank you very much. I would just say that you've done a fantastic job and Detective Haack has been a lead there in and I appreciate what you have done. I also understand that you guys provide a tremendous service with taking care of recycling, so let's make sure that we do communicate and work this out. Yes, go ahead, sir.

MR. FAVA:

Yes, with all due respect, the presentation was well taken. Again, our businesses are a little bit different. You could •• you know, obviously you probably know if you looked up the contracts that I had with the MTA and the TA and KeySpan, my employees, you know, know that cable. If you haven't had that contract before, you wouldn't know that cable; obviously his employees, he doesn't handle that. I went in the bids for the past several years and I handle, you know, material that comes in like that, so we know right away, you know, it's not •• again, it's a piece of scrap. Normally when it comes from a utility it's in ten foot lengths, okay, so again, that's cut in half. Then you have subcontractors, a lot of people do subwork for the utility and the deal is the copper could be theirs. So when they're done with the job doing splicing and you have pieces like this, they will scrap that cable.

CHIEF RAU:

Sir, what you're doing, and I thank you, is making my point. In other words, you have people in the industry that are familiar with it, like you, and people in the industry that buy it, like your partner, who are not familiar. So in other words, they would go to you and try to buy •• you know, sell it to you and you would say, "No, I'm not going to buy that," but they could go to another location in Suffolk County and sell that same thing.

MR. FAVA:

What I'm also saying is if that contractor would bring this in, even though it is marked, it could be their copper because their contract with the utility is whatever they have, when the job is done the material is theirs. It words both ••

CHAIRMAN EDDINGTON:

I think the point is that what we have to do is what you're doing right here; we have to sit, we have to communicate. You don't want to buy stolen property, they can't allow it, so we've got to get together,

So I would say we're going to set a time where you will get together.

Last word, yes.

MR. GERSHOWITZ:

Yes, I'd like to formally invite Detective Rau for a tour of our industry, if he would accept that invitation.

CHIEF RAU:

I'm familiar with your industry, but I would be more than happy to accept the invitation to come and take a tour.

CHAIRMAN EDDINGTON:

You and I; we'll do that together, the tour.

MR. GERSHOWITZ:

You need Police protection?

CHAIRMAN EDDINGTON:

I'll take whatever I can get.

Okay, thank you very much, gentlemen.

LEG. LOSQUADRO:

Motion to table for a public hearing.

CHAIRMAN EDDINGTON:

Thank you very much.

LEG. VILORIA•FISHER:

Second.

CHAIRMAN EDDINGTON:

Legislator Losquadro and second by Legislator Viloria•Fisher. All those in favor? Opposed? Abstentions? **Tabled (VOTE: 7 •0•0•0).**

IR 1814•06 • A Local Law to enhance implementation and enforcement of the "DWI Seizure Law" by towns and villages located outside the County Police District (Schneiderman). That has to be tabled because it was recessed during public hearing.

MR. NOLAN:

I have it marked recessed.

LEG. SCHNEIDERMAN:

Oh, we did recess it?

CHAIRMAN EDDINGTON:

Yeah. You want to make that motion?

LEG. SCHNEIDERMAN:

I'll make a motion to table.

CHAIRMAN EDDINGTON:

Motion to table by Legislator Schneiderman. I'll second that. All those in favor? Opposed? Abstentions? **Tabled (VOTE: 7 •0•0•0).**

IR 1950•06 • Authorizing the Department of Information Technology to implement a "Mapquest" styled information service on the County's website for Suffolk County Transit Bus Routes (Eddington).

I will make a motion to approve.

LEG. VILORIA•FISHER:

Second.

CHAIRMAN EDDINGTON:

Second by Legislator Vilorio•Fisher. All in favor?

LEG. VILORIA•FISHER:

Madam Clerk, if you could put me as a cosponsor?

CHAIRMAN EDDINGTON:

Opposed? Abstentions? Thank you. ***Approved (VOTE: 7•0•0•0).***

Introductory Resolution 1976•06 • A Local Law to provide fair and equitable cost containment for residents in certain Emergency Service Districts (Schneiderman). I believe this has to be tabled.

The public hearing was recessed?

LEG. LOSQUADRO:

Actually, I think we closed the public hearing on this. I will make a motion to table it one cycle, though, because we do have a meeting coming up with Ben Zwirn and myself ••

MR. ZWIRN:

September 23rd.

LEG. SCHNEIDERMAN:

•• and the Supervisor of Southampton and I think Kate Browning has been asked to ••

LEG. BROWNING:

No, the 21st?

LEG. SCHNEIDERMAN:

On the 21st of September.

CHAIRMAN EDDINGTON:

Okay.

LEG. SCHNEIDERMAN:

There might be another way to resolve this matter, so I'll just make a motion to table.

CHAIRMAN EDDINGTON:

Okay, so noted. So Legislator Schneiderman has asked to table this,

I'll second that. All those in favor? Opposed? Abstentions?

LEG. SCHNEIDERMAN:

On the motion to table.

CHAIRMAN EDDINGTON:

On the motion.

LEG. SCHNEIDERMAN:

I have one question for Counsel. I have amended the bill slightly, as I think you're aware. So do we need a new public hearing on this anyway?

LEG. VILORIA•FISHER:

Probably not because of the change in that rule.

MR. NOLAN:

You will not need another public hearing. The changes are not so substantial that we need another public hearing, no.

LEG. SCHNEIDERMAN:

Okay.

CHAIRMAN EDDINGTON:

Tabled (VOTE: 7•0•0•0).

IR 2027•06 • A Local Law to update ••

LEG. SCHNEIDERMAN:

You skipped 1986.

CHAIRMAN EDDINGTON:

Oh, okay. Excuse me. ***IR 1986•06 • A Local Law to enhance evacuation plans for pets and animals***

(Cooper). This has to •• the public hearing was recessed, so

Legislator Browning is making a motion to table.

LEG. BROWNING:

No, it was closed.

CHAIRMAN EDDINGTON:

Oh, it's closed?

MR. NOLAN:

The public hearing is closed.

LEG. BROWNING:

Motion to approve.

CHAIRMAN EDDINGTON:

Motion to approve made by Legislator Browning.

LEG. VILORIA•FISHER:

Second.

CHAIRMAN EDDINGTON:

Second by Legislator Viloría•Fisher. All in favor?

LEG. SCHNEIDERMAN:

On the motion.

CHAIRMAN EDDINGTON:

On the motion.

LEG. SCHNEIDERMAN:

Can Counsel explain what the bill does?

CHAIRMAN EDDINGTON:

Everybody takes a dog and cat home.

LEG. VILORIA•FISHER:

Every Legislator gets a cat.

LEG. BROWNING:

No cats, only dogs.

LEG. LOSQUADRO:

I'm going to have to oppose it; I have cats.

LEG. BROWNING:

I have allergies in my house.

MR. NOLAN:

All right, this law would authorize the Department of Fire, Rescue & Emergency Services to do four things; develop a registry of all pet stores, animal hospitals and kennels in the County for distribution to towns, villages, local fire departments and Fire Marshals; two, develop a program that would result in the filing of floor plans and/or registry of animals by pet stores, animal hospitals and kennels with local fire departments; three, direct the department to work with towns, villages, fire departments, pet stores, animal hospitals, kennels and the Suffolk County Society for the Prevention of Cruelty to Animals to develop an Emergency Response Evacuation Plan for pets and animals in each jurisdiction; and four, establish additional pet•friendly emergency shelters throughout Suffolk County for use in times of emergency or disaster.

LEG. SCHNEIDERMAN:

On the motion. He has no mike; you want your mike back so you can recognize me? Could I, through the Chair ••

CHAIRMAN EDDINGTON:

Yes, Legislator.

LEG. SCHNEIDERMAN:

Could I ask, this does ask FRES to do quite a number of things and we do have the FRES Commissioner here. Maybe •• can I ask that we call upon Mr. Williams to comment?

CHAIRMAN EDDINGTON:

Absolutely. Legislator •• yes.

LEG. SCHNEIDERMAN:

I'm not comfortable voting on this until I know that FRES is ready to take on this task.

CHAIRMAN EDDINGTON:
Commissioner Williams.

LEG. SCHNEIDERMAN:
It's a busy department. And particularly this time of year with it being hurricane season, I don't want to burden you with a task that you're not prepared to take care of. I think human beings first; pets are important, but humans first. So could you comment?

COMMISSIONER WILLIAMS:
Definitely humans first. What happens is that everything called for in this bill was something that FRES has been working on with Executive Order 5•2005 that the County Executive put out. So right now we have the registry, we have the floor plans, we have been working with the towns in getting that out, so 99.9% of this bill we're already doing.

LEG. SCHNEIDERMAN:
What's the point five that's left?

COMMISSIONER WILLIAMS:
The point five that's left is the original bill was talking about the pet shelters, we're putting the pet shelters into place right now. We do have a pet shelter identified in the County, we're expanding it to three more, that's the last part of the project we're putting in. The purpose, I believe, of the bill was that it was an Executive Order, quite frankly, we weren't getting cooperation out of a lot of the town Fire Marshals and the conversations we had was that if it was a Local Law it would get a little more cooperation from the towns.

LEG. SCHNEIDERMAN:
Okay. Let's move it.

CHAIRMAN EDDINGTON:
Thank you very much. Okay, then do I have a motion?

LEG. VILORIA•FISHER:

We have a motion and a second.

CHAIRMAN EDDINGTON:

We have a motion and a second. All those in favor? Opposed? Abstentions? Okay. **Approved (VOTE: 7•0•0•0).**

IR 2027•06 • A Local Law to update and strengthen the investigation and enforcement powers of the Suffolk County Human Rights Commission and to achieve substantial equivalence with the Federal Fair Housing Act (County Executive). Motion to approve by Legislator Browning and second by Legislator Viloría•Fisher. All in favor? Opposed?

LEG. CARACAPPA:

Opposed.

CHAIRMAN EDDINGTON:

One opposed?

LEG. LOSQUADRO:

Opposed.

CHAIRMAN EDDINGTON:

Two opposed. Abstentions? Give me a count on that?

MS. ORTIZ:

Five.

CHAIRMAN EDDINGTON:

Okay, so it's **approved (VOTE: 5•2•0•0 Opposed: Legislators Caracappa & Losquadro).**

IR 2036•06 • Amending Resolution No. 1423•2005 (County Executive).

LEG. VILORIA•FISHER:

Can we have an explanation?

CHAIRMAN EDDINGTON:

Explanation from •• my understanding is it's increasing a grant that we received from \$700,000 to 735,000.

LEG. VILORIA•FISHER:

Take the money.

MR. NOLAN:

It's basically an additional \$35,000 to the County.

LEG. LOSQUADRO:

Motion to approve and place on the consent calendar.

LEG. VILORIA•FISHER:

Second.

CHAIRMAN EDDINGTON:

Motion to approve and put on the consent calendar by Legislator Losquadro and second by Legislator Viloria•Fisher. All those in favor? Opposed? Abstentions? ***Approved and placed on the consent calendar (VOTE: 7•0•0•0).***

Introductory Resolutions

Introductory Resolution 2069•05 • Accepting and appropriating grant funds received from the New York State Division of Criminal Justice Services, School District Investigations (County Executive).

LEG. CARACAPPA:

Motion.

CHAIRMAN EDDINGTON:

Motion by Legislator Caracappa.

LEG. SCHNEIDERMAN:

Second.

CHAIRMAN EDDINGTON:

Second by Legislator Schneiderman.

LEG. LOSQUADRO:

Put it on the consent calendar.

CHAIRMAN EDDINGTON:

Put it on the consent calendar?

LEG. CARACAPPA:

It's not a hundred percent.

CHAIRMAN EDDINGTON:

I don't know if it is.

LEG. LOSQUADRO:

Just an explanation, just inquiring whether or not this is •• it just looks like a flat sum from my reading of the backup, I don't think it's ••

MR. NOLAN:

It doesn't indicate whether it's a hundred percent, it just says we're getting \$300,000.

LEG. LOSQUADRO:

Counsel, would it be prudent to place it on the consent calendar?

MR. NOLAN:

You could.

CHAIRMAN EDDINGTON:

Okay, so moved, we'll put it on the consent calendar.

LEG. VILORIA•FISHER:

Cosponsor, Renee.

LEG. BROWNING:

Cosponsor also, Renee.

CHAIRMAN EDDINGTON:

Did I get a second on that?

LEG. LOSQUADRO:

It was Jay.

CHAIRMAN EDDINGTON:

Jay, yes, okay. So all those in favor? Opposed? Abstentions?
Approved and placed on the consent calendar (VOTE: 7•0•0•0).

Memorializing Resolutions

M067•2006 • Memorializing Resolution in support of the Pool and Spa Safety Act (Stern).

LEG. LOSQUADRO:

Motion to approve and cosponsor to the Clerk, please.

CHAIRMAN EDDINGTON:

Motion to approve by Legislator Losquadro.

LEG. SCHNEIDERMAN:

Second.

CHAIRMAN EDDINGTON:

Second by Legislator Schneiderman. All those in favor?
Opposed? Abstentions?

Seeing no other business, I'll call for an adjournment.

(*The meeting was adjourned at 1:15 PM*)

***Legislator Jack Eddington, Chairman
Public Safety & Public Information***

Committee

{ } • Denotes Spelled Phonetically